



# Town of Southern Shores

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Ordinance 2008-11-02

**AN ORDINANCE OF THE TOWN OF TOWN OF SOUTHERN SHORES, NORTH CAROLINA  
TO DECLARE BEACH VITEX (*Vitex rotundifolia*) A HIGHLY INVASIVE PLANT AND  
THEREFORE A PUBLIC NUISANCE, AND TO MAKE IT UNLAWFUL TO PLANT OR  
MAINTAIN BEACH VITEX WITHIN THE CORPORATE BOUNDARIES AND BEACHES OF  
SOUTHERN SHORES AND TO PROVIDE FOR ERADICATION**

**WHEREAS**, the beaches of Southern Shores are among the town's most valuable natural resources, providing areas for public recreation, attraction of tourists and other visitors, and providing a major boost to the area economy; and

**WHEREAS**, there are [three] known species on the Federal Endangered Species List [(loggerhead sea turtles [*Caretta caretta*], piping plovers [*Charadrius melodus*], and seabeach amaranth, [*Amaranthus pumilus*])] which would be severely threatened by the plant known as Beach Vitex (*Vitex rotundifolia*); and

**WHEREAS**, there are other species including, but not limited to, Sea Oats (*Uniola paniculata*), Bitter Panicum (*Panicum amarum*), Seashore Elder (*Iva imbricata*), and American Beachgrass (*Ammophila breviligulata*) that are severely threatened by the invasive growth of Beach Vitex; and

**WHEREAS**, Beach Vitex destroys these plants which protect our dunes, and provides little, if any, protection for dunes, therefore significantly increasing the likelihood of damage to the dunes, the beaches, and therefore Town infrastructure and State passageways; and

**WHEREAS**, Beach Vitex, a plant species that is not native to North America, much less Southern Shores, has been found growing within Southern Shores;

**WHEREAS**, the spreading and persistence of Beach Vitex has caused harm and will continue to cause harm to native species;

**WHEREAS**, the Town of Southern Shores may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town, and may define and abate nuisances pursuant to North Carolina General Statutes § 160A-174;

**WHEREAS**, The Town Council for the Town of Southern Shores finds and hereby declares that Beach Vitex is a public nuisance due to the significant negative impacts this plant has upon the public beaches, sand dunes, endangered, threatened, and other native species, both plant and animal, noted above; and

**WHEREAS**, the Town Council for of the Town of Southern Shores finds that it is in the interest of the public's health, safety, morals and general welfare that the Town of Southern Shores Code of Ordinances be amended as stated below.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Southern Shores, NC as follows:

**Article I: Purpose**

The purpose of this Ordinance is to amend the Town Code of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on June 7, 1988 and subsequently amended.

**Article II. Construction**

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the adopted Town Code shall be shown in italics (*italics*).

**Article III.** Amend Article II. Nuisances, Section 6-26. Certain conditions declared nuisances.

*The existence of any of the following conditions on any lot, whether improved or not, or other parcel of land within the corporate limits is hereby declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance:*

...

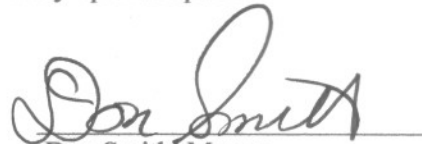
13) Growth, Planting or Maintenance of Beach Vitex (*Vitex rotundifolia*): The growing, planting, causing to be planted, or maintaining of Beach Vitex (*Vitex rotundifolia*) on any property located within the municipal town limits of the Town of Southern Shores. Beach Vitex shall be deemed to be "growing" for the purposes of this section if Beach Vitex is located anywhere on any property within the municipal limits of the Town of Southern Shores.

This ordinance shall become effective immediately upon adoption.

Adopted this 5th day of November, 2008



Carrie Gordin, Town Clerk

  
Don Smith, Mayor

Vote: 5 Aye 0 Nay

Approved as to form:

  
Ben Gallop, Town Attorney